

**ADMINISTRATION & LEGISLATION COMMITTEE
MINUTES OF JULY 13, 2009
OAKLAND, CA**

Chair Green convened the meeting of the Administration and Legislation Committee at 11:05 AM. The roster of attendance is attached.

1.0 PLEDGE OF ALLEGIANCE

2.0 PUBLIC COMMENT

There was no public comment.

3.0 CONSENT CALENDAR

3.1 Minutes of June 8, 2009 Meeting

3.2 Quarterly Investment Report

3.3 Quarterly SBE, LBE, and DBE Report

A motion to approve the consent calendar was made by Haggerty; a second was made by Hosterman. The motion passed unanimously.

4.0 ADMINISTRATIVE MATTERS

4.1 Administrative IT Services: Authorization to Award Contract

Swanson stated that in order to ensure that the CMA was procuring IT support services at a competitive price, the CMA issued a formal Request for Proposals for Administrative IT Services (RFP A08-029) on January 12, 2009. He requested the Committee to recommend that the Board authorize the Executive Director to approve a contract with Novani, LLC to provide Administrative IT Services to the CMA. A motion to approve staff recommendation was made by Haggerty; a second was made by Worthington. The motion passed unanimously.

4.2 Executive Director's Salary and Benefits for 2009-10

Chair Green informed the Committee that the employment agreement with the Executive Director states that the CMA will consider annual adjustments to salary and benefits. He said that the Vice Chair, the immediate past Chair and himself, reviewed the Executive Director's performance and found it excellent. He made a motion that the Committee recommend that the Board allow the Executive Director to convert two and one-half weeks accrued vacation to salary payable in twenty-four equal payments beginning July 1, 2009; a second was made by Haggerty. The motion passed unanimously.

4.3 Executive Director's Performance Objectives for Fiscal Year 2009-10

Fay requested the Committee to recommend that the Board approve his performance objectives for fiscal year 2009-2010. A motion to approve staff recommendation was made by Sbranti; a second was made by Chiang. The motion passed unanimously.

4.4 Altamont Commuter Express (ACE) Proposed Revised Schedule

Bhat informed the Committee that at its June 26, 2009 meeting, the San Joaquin Regional Rail Commission (SJRRRC) approved schedule change for ACE trains to be effective October 26, 2009. The schedule change eliminated the midday trains and replaced them with 2 additional peak hour trains. This is an information item only.

4.5 ARRA Funding Resolution

Todd requested the Committee to recommend that the Board adopt Resolution 09-06, a Resolution of Local Support for \$7.5 million in funding from the federal American Recovery and Reinvestment Act (ARRA) for the I-580 EB High Occupancy Toll (HOT) Lane. The resolution is required by MTC for all recipients of ARRA funding. A motion to approve staff recommendation was made by Haggerty; a second was made by Sbranti. The motion passed unanimously.

5.0 CONTRACTS, AGREEMENTS & CONSTRUCTION STATUS REPORTS

5.1 Route 84/Ardenwood Boulevard Park and Ride Lot Project (Regional Measure 2 Project 29.5) Quarterly Construction Status Report

Haas requested the Committee to review and approve the Route 84/Ardenwood Boulevard Park and Ride Lot Project (Regional Measure 2 Project 29.5) Quarterly Construction Status Report for activities through June 30, 2009. A motion to approve staff recommendation was made by Chiang; a second was made by Leider. The motion passed unanimously.

5.2 Resolution of Local Support for the East Bay BRT Corridor Enhancement Project

Todd requested the Committee to recommend that the Board adopt Resolution 09-07 to MTC documenting local support for the CMA sponsored East Bay Bus Rapid Transit Capital Enhancement Project. A motion to approve staff recommendation was made by Worthington; a second was made by Haggerty. The motion passed unanimously.

5.3 I-80 Integrated Corridor Mobility (ICM): Approval to Advertise for a Construction Contract and Authority to Negotiate Construction Management Services

Hemiup stated that to expedite delivery, the I-80 ICM project has been separated into six sub-projects. He requested the Committee to recommend that the CMA Board take the following actions: (1) Authorize the Executive Director, or his designee, to advertise and request bids for the construction of the I-80 ICM Traffic Operations Systems (TOS) Project #3. Award of this contract is scheduled for action by the Board in October. The Engineer's Estimate for the construction phase is \$2,144,000; and (2) Authorize the Executive Director, or his designee, to negotiate and execute a contract to provide construction management services for the I-80 ICM Traffic Operations Systems (TOS) Project #3 and for the Traffic Light Synchronization Program (TLSP) Project #6 not to exceed \$2.4 million. A motion to approve staff recommendation was made by Worthington; a second was made by Haggerty. The motion passed unanimously.

5.4 Grand MacArthur Corridor Transit Enhancements Project: Construction Status Report

Yarjani requested the Committee to recommend that the Board review and approve the Grand MacArthur Corridor Transit Enhancement Project: Construction Contract Progress Report for activities through June 30, 2009. A motion to approve staff recommendation was made by Sbranti; a second was made by Haggerty. The motion passed unanimously.

5.5 San Pablo Rapid Bus Stop Improvements Project: Construction Status Report

Yarjani requested the Committee to recommend that the Board review and approve the San Pablo Rapid Bus Stop Improvements Project Construction Contract Progress Report for activities through June 30, 2009. A motion to approve staff recommendation was made by Leider; a second was made by Haggerty. The motion passed unanimously.

6.0 LEGISLATION/PUBLIC AFFAIRS

6.1 Sacramento Report

Fay reported that although the budget remains in limbo, the Conference Committee: (a) unanimously approved diverting \$336 million in additional spill over revenue to the general fund; (b) transfer of home-to-school transportation funds to the general fund; (c) agreed to divert \$1.7 billion in gasoline excise tax revenue from the cities and counties over the next two years; (d) unanimously rejected the LAO's proposal to suspend Prop 42 payments; (e) unanimously approved a \$13 million reduction in the Caltrans capital outlay support staff budget; and (f) approved appropriating the remaining \$700 million in Prop 1B bond that are dedicated to local street and road projects. He also informed the Committee that AB 744 (Torrico) was approved by the Assembly and is now pending in the Senate Committee on Transportation and Housing. AB 744 authorizes BATA to finance, construct and operate an express lane network in the Bay Area. After some discussions, Haggerty made a motion to bring this item to the Board for further discussion. Sbranti made a second; and the motion passed unanimously.

6.2 Washington, DC Report

Fay reported that despite the Administration's call for an 18 month extension, the House Transportation and Infrastructure Subcommittee on Highways and Transit marked up its surface transportation authorization proposal last week. He stated that Chairman Oberstar's proposal would provide \$450 billion for surface transportation programs and an additional \$50 billion for high-speed rail. The bill restructures surface transportation planning by eliminating more than 75 programs, and consolidates the majority of the highway funding into four categories: repairing highways and bridges; improving highway safety; developing new and improved capacity; and reducing congestion and greenhouse gasses. He also reported that the House passed the American Clean Energy and Security Act (HR 2454). The bill would limit emissions at 17% below the current levels in 2020, 42% in 2030 and 83% in 2050.

6.3 AB 338 (Ma): Transit Villages/Tax Increment Financing

Fay stated that this bill would allow cities and counties to use tax increment financing for public facilities within a transit village. The bill would also expand the boundaries of a transit village to ½ mile. See attached MTC analysis of the bill. MTC is seeking an amendment to add language to the bill that would declare legislative intent that at least 10 percent of the units in the townhomes within half a mile of a transit station be habitable by persons with disabilities and provide an accessible route from within the housing units to the entrance and to the station for persons with disabilities. Fay recommended that the CMA support this bill and seek the amendment suggested by MTC. Worthington made a motion to approve staff recommendation; a second was made by Sbranti. The motion passed unanimously.

6.4 AB 1186 (Blumenfield)/SB 728 (Lowenthal): Parking Cash-out

Fay stated that these bills would strengthen the existing parking cash-out laws by requiring leases entered into after January 1, 2011 to list parking costs associated with the lease as a separate line item and to afford local jurisdictions the authority to establish a penalty to ensure compliance with the parking cash-out law. He requested the Committee to recommend that the CMA support these bills. Worthington made a motion to approve staff recommendation; a second was made by Chiang. The motion passed unanimously.

6.5 AB 425 (Simitian): Small Business Trip Reduction Tax Deduction/Parking Cash-out Enforcement

Fay stated that this bill would authorize employers with 20 or fewer employees to claim a tax deduction for up to 80% of the cost associated with alternative commute modes. Strictly read, the bill could prohibit an employer that offers BART tickets from claiming the tax deduction, since BART does not offer monthly passes. He requested the Committee to recommend that the CMA support and seek amendment to correct the oversight on this bill. A motion to approve the staff recommendation was made by Worthington; a second was made by Leider. The motion passed unanimously.

6.6 AB 628 (Block): "Pay-by-Plate" Toll Collection

Fay stated that this bill would authorize California drivers to pay electronic tolls via license plate. While electronic toll collection is used throughout the State with FasTrak, California law does not permit collection of tolls using license plate reads. He requested the Committee to recommend that the CMA support this bill. A motion to approve staff recommendation was made by Sbranti; a second was made by Worthington. The motion passed unanimously.

7.0 STAFF AND COMMITTEE MEMBER REPORTS

There was no report.

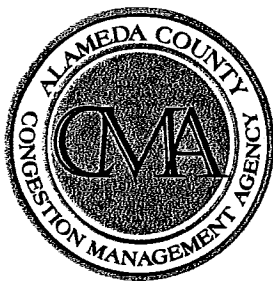
8.0 ADJOURNMENT/NEXT MEETING: SEPTEMBER 14, 2009

The meeting was adjourned at 11:50 a.m. The next meeting will be held on September 14, 2009 at 11:00 a.m.

Attest By:



Gladys V. Parmelee
Board Secretary



ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

ADMINISTRATION AND LEGISLATION COMMITTEE MEETING ROSTER OF MEETING ATTENDANCE

July 13, 2009

ACCMA Committee Meeting Room
1333 Broadway, Suite 220, Oakland CA 94612

MEMBERS	Initials	ALTERNATES	Initials
Mark Green, Chair –City of Union City			
Greg Harper, Vice Chair – AC Transit		H.E. Christina Peeples - AC Transit	
Scott Haggerty – County of Alameda			
Councilmember John Chiang – City of Piedmont		Garrett Keating – City of Piedmont	
Farid Javandel – City of Albany		Peggy Thomsen – City of Albany	
Marshall Kamena – City of Livermore		Marjorie Leider – City of Livermore	
Tim Sbranti - City of Dublin		Jennifer Hosterman – City of Pleasanton	
Nate Miley – County of Alameda			
Larry Reid – City of Oakland			
Kriss Worthington – City of Berkeley		Tom Bates – City of Berkeley	

CMA STAFF	Initials	CMA STAFF & CONSULTANTS	Initials
Dennis Fay, Executive Director		Gladys Parmelee – Exec. Asst. & Board Secretary	
Frank Furger, Chief Deputy Director		Liz Brazil – Contracts Administrator	
Dick Swanson, Director of Finance & Admin.		Steve Haas – Senior Transportation Engineer	
Yvonne Chan – Accounting Manager		John Hemiup - Senior Transportation Engineer	
Christina Muller –Administrative Manager		Vivek Bhat - Assoc. Transportation Engineer	
Cyrus Minoofar - Manager of ITS		Jacki Taylor – Engineering Assistant	
Matt Todd - Manager of Programming		Laurel Poeten - Engineering Assistant	
Ray Akkawi – Manager of I-580 Corridor			
Beth Walukas – Manager of Planning			
Diane Stark, Senior Transportation Planner			
Saravana Suthanthira, Senior Trans. Planner		Zack Wasserman – WRBD	
Bijan Yarjani – Senior Transportation Engr.		Neal Parish - WRBD	

	NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1.	Nate Levine	ACCMH	925-849-1873	nlevine@accmh.ca.gov
2.	Tim Spencer	ACTransit	510.891.4754	tspencer@actransit.org
3.	Keith Fluctta	Supervisor Hegeny's office	925-200-1631	BsFluctta@aol.com
4.	Dan Grede	ALAC Box #1-Hagerly	925-551-6995	dun.grede@alacgov.org
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				